

Serial No. 10/070,896  
Docket No. KEL022PA

### **REMARKS/ARGUMENTS**

In the identified Office action, claims 83, 84, 94, 96-98, 100, 101, 106-108, 126-128, 131 and 136 were rejected under 35 U.S.C. §102(b) as being anticipated by Watanabe et al. (US 5,927,078); and, claims 85-93, 95, 99, 102-105, 109-125, 129, 130, 132-135 and 137-163 were objected to as being dependent upon a rejected base claim but as being allowable if rewritten into independent form including all of the limitations of the base claim and any intervening claims. The recognition of allowable subject matter in claims 85-93, 95, 99, 102-105, 109-125, 129, 130, 132-135 and 137-163 is gratefully acknowledged.

Claim 1-163 are canceled from the present application with new claims 164-244 being added. The new claims are almost all combinations of claims 83-163 that include limitations contained in claims that were indicated as being allowable in the identified Office action. In particular, claims 164-233, 235-241, 243 and 244 are respectfully submitted as being in condition for allowance as being amended forms of claims 83-163 that include one or more claims indicated as including allowable subject matter including the limitations of the claim or claims from which they depended. To facilitate a review of the new claims and these combinations, a table showing the origin of claims 164-244 from claims 83-163 of the present application and also from the claims of the PCT application is attached as APPENDIX A.

With regard to claim 234, a cold-storage container is claimed wherein, among other recitations, the container is mounted to the structure for movement relative to the structure, *the cooling means* and the lid to open the container. Since Watanabe et al.'s containers are not mounted to the structure for movement relative to the cooling means, it is

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respectfully submitted that claim 234 is patentable over Wantanabe et al. and is in condition for allowance which is requested.

With regard to claim 242, it is initially noted that claim 242 depends from claim 234 and should be considered to be in condition for allowance in view of the remarks made relative to claim 234. In addition, claim 242 further defines the appliance of claim 234 as including a means for exhausting to the front of the appliance air that has been heated by a heat exchanger. No such structure is disclosed or suggested by Wantanabe et al. Accordingly, it is respectfully submitted that claim 242 is patentable over Wantanabe et al. and is in condition for allowance which is requested.

Applicant's attorney notes that the SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT mailed on February 11, 2003, is indicated as having been received in the Office on February 19, 2003 as paper number 12 in the File History; however, this IDS was not enclosed with the identified Office action. Accordingly, the Examiner is requested to be sure that this IDS and the information disclosed in this IDS are in the file and were reviewed. To facilitate review in the event this IDS is no longer in the File History, a copy of the IDS is enclosed herewith together with a copy of the cited information\*.


In view of the foregoing amendments and remarks, it is respectfully submitted that claims 164-244 now pending in the present application are in condition for allowance. Accordingly, applicants request reconsideration of the application and allowance of claims 164-244.

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If the present amendment raises any questions or the Examiner believes that an interview would facilitate prosecution of the present application, he is respectfully requested to contact the undersigned attorney.

Respectfully submitted,

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